



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Steve Tate, Mayor Pro Tempore
Larry Carr, Council Member
Mark Grzan, Council Member
Greg Sellers, Council Member

REDEVELOPMENT AGENCY

Dennis Kennedy, Chair
Steve Tate, Vice-Chair
Larry Carr, Agency Member
Mark Grzan, Agency Member
Greg Sellers, Agency Member

WEDNESDAY, JULY 20, 2005

AGENDA

JOINT MEETING

CITY COUNCIL SPECIAL AND REGULAR MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

6:00 P.M.

A Special Meeting of the City Council and Redevelopment Agency is Called at 6:00 P.M. for the Purpose of Conducting Board & Commission Interviews.

Dennis Kennedy, Mayor/Chairman

CALL TO ORDER

(Mayor/Chairperson Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

6:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORT

Council Member Tate

CITY COUNCIL SUB-COMMITTEE REPORTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

City Council Action

OTHER BUSINESS:

Time Estimate

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| 1. | 120 Minutes | <u>INTERVIEWS TO FILL VACANCIES ON THE ARCHITECTURAL REVIEW BOARD; LIBRARY, CULTURE & ARTS COMMISSION; MOBILE HOME RENT COMMISSION; AND PLANNING COMMISSION</u>1
<u>Recommended Action(s):</u> <ol style="list-style-type: none">1. <u>Council Discussion</u> about the Characteristics/Traits the Council is seeking in Candidates to serve on the Architectural Review Board, Library, Culture & Arts Commission, Mobile Home Rent Commission and Planning Commission;2. <u>Conduct</u> Interviews;3. <u>Council Discussion</u> regarding Candidates;4. <u>Council Identification</u> of Recommended Candidates Up to the Number of Vacancies Available on the Board or Commission Plus 1, As Deemed Appropriate; and5. <u>Mayor to Return with Recommended</u> Appointments for Council Discussion and Ratification of Appointments. |
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City Council Action

CONSENT CALENDAR:

ITEMS 2-7

The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

2. **FOX HOLLOW-MURPHY SPRINGS ASSESSMENT DISTRICT – ABANDONMENT OF PROCEEDINGS TO INCREASE ASSESSMENTS PURSUANT TO PROPOSITION 218** 53
Recommended Action(s): Adopt 11 Resolutions to Levy Assessments at the Previously Authorized Fiscal Year 2004-2005 Rate.
3. **INDOOR RECREATION CENTER PROJECT – JUNE CONSTRUCTION PROGRESS REPORT** 67
Recommended Action(s): Information Only.
4. **ACCEPTANCE OF THE INTERIM OVERFLOW PARKING LOT PROJECT AT THE AQUATICS CENTER** 75
Recommended Action(s):
 1. Accept as Complete the Interim Overflow Parking Lot Project at the Aquatics Center in the Final Amount of \$53,321.84; and
 2. Direct the City Clerk to File the Notice of Completion with the County Recorder's Office.
5. **APPROVAL OF GRANT AGREEMENT WITH SANTA CLARA VALLEY WATER DISTRICT TO ASSIST WITH CITY'S STORM WATER QUALITY PUBLIC OUTREACH PROGRAM** 79
Recommended Action(s): Authorize the City Manager, Subject to City Attorney Review, to Execute a Grant Agreement with the Santa Clara Valley Water District to Provide \$32,000 to the City in Support of Storm Water Quality Public Outreach Efforts.
6. **RESIGNATION OF A LIBRARY, CULTURE & ARTS COMMISSIONER** 85
Recommended Action(s):
 1. Accept Bert Berson's Resignation from the Library, Culture and Arts Commission; and
 2. Direct the City Clerk to Commence Recruitment Efforts to Fill the Vacancy.
7. **ADOPT ORDINANCE NO. 1731, NEW SERIES** 87
Recommended Action(s): Waive the Reading, and Adopt Ordinance No. 1731, New Series, and Declare That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING ARTICLES II AND III, THE STANDARDS AND CRITERIA AND PROCEDURES OF THE RESIDENTIAL DEVELOPMENT CONTROL SYSTEM AS SET FORTH IN CHAPTER 18.78 OF THE MORGAN HILL MUNICIPAL CODE.**

City Council and Redevelopment Agency Action

CONSENT CALENDAR:

ITEM 8

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

8. **APPROVE SPECIAL AND REGULAR CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF JULY 6, 2005** 143

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

City Council Action and Redevelopment Agency Action

CLOSED SESSION:

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Authority: Government Code Sections 54956.9(b) & (c)
Number of Potential Cases: 1

2.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:

Authority: Pursuant to Government Code 54956.9(a)
Case Name: City of Morgan Hill v. Hernandez
Case Number: Santa Clara County Superior Court, Case No. 1-04-CV-020063
Attendees: City Manager, Interim City Attorney, and Attorney Gale Connor

3.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Authority: Government Code 54957
Public Employee Performance Evaluation: City Manager
Attendees: City Council, City Manager

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

ADJOURNMENT